

**FORTY-SEVENTH LEGISLATURE  
FIRST SESSION, 2005**

March 3, 2005

Mr. Speaker:

Your **BUSINESS AND INDUSTRY COMMITTEE**, to whom has been referred

**HOUSE BILL 320**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 12, after "REPORTING" insert "FOR CERTAIN UNITARY CORPORATIONS".

2. On page 1, line 21, strike "A" and insert in lieu thereof "Except as provided in Subsection C of this section, a".

3. On page 2, line 22, strike the quotation mark and between lines 22 and 23 insert:

"C. A unitary corporation whose principal business activity is manufacturing and that has not previously filed a combined or consolidated return may elect to file a corporate income tax return as a separate corporate entity. For the purposes of this subsection, "manufacturing" means combining or processing components or materials to increase their value for sale in the ordinary course of business, but does not include:

(1) construction;

(2) farming;

(3) power generation, except for electricity generation at a facility other than one for which both location approval and a certificate of convenience and necessity are required prior to commencing construction or operation of the facility, pursuant to the Public Utility Act; or

(4) processing natural resources, including hydrocarbons."",

and thence referred to the **TAXATION AND REVENUE COMMITTEE**.

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Respectfully submitted,

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**Fred Luna, Chairman**

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 4 Against

Yes: 7

No: Marquardt, Payne, Powdrell-Culbert, Rodella

Excused: Hanosh, Hobbs

Absent: None

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